

REMARKS


1. Reconsideration and further prosecution of the above-identified application are respectfully requested in view of the amendments and discussion that follows. Claims 1-43 are pending in this application. Claims 1, 3-5, 9, 11, 12, 19-21, 23-25, 31, 33, 34 and 36 have been rejected under 35 U.S.C. §102(b) as being anticipated by "RFP Marketing Opportunities Abound At 'Design Your Dream House' Site" (RFP). Claims 7, 8, 14, 15, 27, 28 and 38-42 have been rejected under 35 U.S.C. §103(a) as being obvious over RFP. Claims 6, 17, 18, 26, 37 and 43 have been rejected under 35 U.S.C. §103(a) as being obvious over RFP in view of FTD website. Claims 10, 16 and 30 have been rejected under 35 U.S.C. §103(a) as being obvious over RFP in view of "John Murtaugh - Builder's Spotlight" (Murtaugh). Claims 2, 13, 22, 32 and 35 have been rejected under 35 U.S.C. §103(a) as being obvious over RFP in view of U.S. Pat. No. 5,825,881 to Colvin, Sr. After a careful review of the claims (as amended), it has been concluded that the rejections are in error and the rejections are, therefore, traversed.

2. The Examiner asserts that "the examiner believes that the Applicant has not established conception of the claimed invention by the date of the reference in question . . . A statement in the declaration stating that the Applicant had established conception of all elements of claimed invention before the date of the reference would be sufficient to remove the reference" (Office Action of 7/30/03, page 7). In response, a new Declaration of Bruce A. Fogelson is included with this response that provides the details requested by the Examiner. Since the new Declaration

provides the details requested by the Examiner it is believed that the rejection of claims 1-43 based upon RFP, either alone or in combination with other references, is now improper and should be withdrawn.

3. Allowance of claims 1-43, as now presented, is believed to be in order and such action is earnestly solicited. Should the Examiner be of the opinion that a telephone conference would expedite prosecution of the subject application, he is respectfully requested to telephone applicant's undersigned attorney.

Respectfully submitted,
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